Secrets. IL-27—100,000—21-5-53.

Home (195) Department.

Ms. SERIES.

G.O. No. 5003

Dated 23-11-50

[Despatch Abstract.]

MOTOR VEHICLES - Goods vehicles - Amplified extension granted by the Central Road Traffic Board to enter Madras City for loading and unloading purposes - Validity of - Instructions issued.

GOVERNMENT OF MADRAS

ABSTRACT

MOTOR VEHICLES - Goods vehicles - Amplified extension granted by the Central Road Traffic Board to enter Madras City for loading and unloading purposes - Validity of - Instructions issued.

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HOME DEPARTMENT

G.O.Ms.No.5003. Dated 23--11--1950.

READ:

From Sri A.K.Kathumuthu Pillai, Lorry owner North Salem and others, petition d/30-1-50. the T.C., Madras Lr.No.6893/B1/50, d/27-8-50 and 15-11-50.

ORDER:

It has been brought to the notice of the Government on behalf of certain lorry owners in the mofussil that they are being prosecuted by the Madras City Police for bringing their lorries into the city without valid endorsements from the Road Traffic Board, Madras even though the Central Road Traffic Board has amplified the extensions of the routes of those vehicles so as to enable them to load and unload their goods in the city of Madras. The Government have examined the question in consultation with the Central Road Traffic Board Sec.44(3)(b) of the Motor Vehicles Act, 1939 read with rule 143(b) of the Madras Motor Vehicles Rules empowers the Central Road Traffic Board to extend the validity of the permits in question to such area or roads as it may deem desirable. Under sec.44(3)(d) the State Transport Authority is also entitled to exercise the discharge throughout the State such other functions as may be prescribed. Hence the Central Road Traffic Board, is entitled to extend the validity of the permits of the mofussil goods vehicles to the roads in Madras City as has been done by it and no further "endorsement" has by the Road Traffic Board Madras is necessary. The Road Traffic Board, Madras is therefore instructed not to launch prosecution in cases where the Central Road Traffic Board has amplified the extensions of the routes of the mofussil goods vehicles so as to enable them to load and unload their goods in Madras City.

The Road Traffic Board, Madras is also informed that under sec.44(4) of the Motor Vehicles Act, the Central Road Traffic Board is entitled to issue directions to any Road Regional Transport Authority for the purposes of exercising and discharging the powers and functions specified in sub-sec.(3) of that section and the Regional Transport Authority shall be guided by such directions. The Road Traffic Board Madras cannot ignore the directions of the Central Board issued under sec.44(4) or do anything contrary to action validly taken by the Central Board under rule 143 (b) of the Madras Motor Vehicles Rules. The Road Traffic Board, Madras is therefore clearly not justified in prosecuting a person who is merely acting in pursuance of an order of the Central Road Traffic Board quite apart from the unseemliness of such a prosecution.

p.t.o.

2. The Secretary, Central Road Traffic Board is directed to give a suitable reply to Sri A.K.Kathamuthu Pillai with reference to his petition dated 30-1-1950 communicated in Endorsement No.14276•Tr.II/50-1, Home dated 1-3-50.

Sd/---
SECRETARY TO GOVERNMENT.

To The Secretary, Central Road Traffic Board, Madras.
" " Transport Commissioner, Madras.
Copy to Commissioner of Police.

TRUE COPY.

R Thiagarajan 20.8.56
SUPERINTENDENT,
MADRAS RECORD OFFICE.

sps/3/8

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